

# UNITED STATES BANKRUPTCY COURT DISTRICT OF NEW JERSEY

In the matter of:

Debtor

Case No. \_\_\_\_\_

Plaintiff(s)

Adversary No. \_\_\_\_\_

v.

Defendant and Third Party Plaintiff(s)

v.

Third Party Defendant(s)

## THIRD PARTY SUMMONS

YOU ARE SUMMONED and required to file a motion or answer to the third-party complaint which is attached to this summons with the clerk of the bankruptcy court within 30 days after the date of issuance of this summons, except that the United States and its offices and agencies shall file a motion or answer to the complaint within 35 days.

Address of Clerk

At the same time, you must also serve a copy of the motion or answer upon the defendant's attorney.

Name and Address  
of Defendant's Attorney

At the same time, you must also serve a copy of the motion or answer upon the plaintiff's attorney.

Name and Address  
of Plaintiff's Attorney

If you make a motion, your time to answer is governed by Fed.R.Bankr.P. 7012. If you are also being served with a copy of the complaint of the plaintiff you have the option of not answering the plaintiff's complaint **unless** this is an admiralty or maritime action subject to the provisions of Fed.R.Civ.P. 9(h) and 14(c), in which case you are required to file a motion or an answer to both the plaintiff's complaint and the third-party complaint, and to serve a copy of your motion or answer upon the appropriate parties.

**IF YOU FAIL TO RESPOND TO THIS SUMMONS, YOUR FAILURE WILL BE DEEMED TO BE YOUR  
CONSENT TO ENTRY OF A JUDGMENT BY THE BANKRUPTCY COURT AND JUDGMENT BY DEFAULT  
MAY BE TAKEN AGAINST YOU FOR THE RELIEF DEMANDED IN THE THIRD-PARTY COMPLAINT.**

Jeanne A. Naughton, Clerk

Date: \_\_\_\_\_

By: \_\_\_\_\_  
Deputy Clerk

**Pursuant to D.N.J. LBR 9019-2, Mediation; Procedures, there is a presumption of mediation in all adversary proceedings. For more information regarding the mediation program see the related Local Rules and forms on the court's web site [njb.uscourts.gov/mediation](http://njb.uscourts.gov/mediation).**